



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT S. MANDELL,

Plaintiff,

v.

REGIONAL DIRECTOR, REGION II  
UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES,  
et al.,

Defendants.  
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07 CV 6868 (LAP)

ORDER

LORETTA A. PRESKA, United States District Judge:

By request dated January 11, 2008, plaintiff requested the Clerk of the Court to enter a default judgment in this action. The request is denied.

By order filed October 2, 2007, the Government's time to respond to the complaint was extended to November 30, 2007 [dkt. no. 3]. By order filed November 26, 2007, the previously set deadline for responding to the complaint was vacated, and the Department of Health and Human Services was required to respond to the complaint no later than 60 days after service [dkt. no. 4]. An affidavit of service filed January 2, 2008 [dkt. no. 5] reflects that the complaint was served on the Regional Director on

November 21, 2007, and the answer is due January 20, 2008. Because that date has not yet passed, plaintiff's request for entry of a default judgment is denied.

SO ORDERED:

Dated: January 17, 2008

  
LORETTA A. PRESKA, U.S.D.J.

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